REMARKS

Claims 1-24 are pending in the application.

Claims 1-24 stand rejected.

Claims 1 and 5 have been amended.

Rejection of Claims under 35 U.S.C. § 102

Claims 1-11 and 13-24 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Ansberry, et al, U.S. Patent No. 5,887,170 (Ansberry). Applicants respectfully traverse this rejection.

Applicants respectfully submit that Ansberry does not teach all of the limitations of claim 1. For example, Ansberry fails to show, teach or suggest "allocating resources of a dynamic computing environment." A dynamic computing environment, as disclosed in the claimed invention, provides for the "selection and configuration of processing networks, which can then be accessed and managed remotely. The processing network is referred to as a system including 'resources.' A system resource is any hardware, software, or communication component in the system." (page 7, lines 3-6). The computing environment of claim 1 is a *dynamic* computing environment because of how the resources of the environment are allocated: "since these 'computing environments' can be dynamically configured and reconfigured out of the same set of resources, these will also be referred to as 'Dynamic Computing Environments.'" (page 8, lines 10-12).

Ansberry does not disclose allocating resources of a processing network by dynamically configuring the network; therefore, Ansberry fails to teach "allocating resources of a dynamic computing environment." This is the result, at least in part, of Ansberry's failure to show, teach or suggest a dynamic computing environment. Instead of disclosing a dynamic computing environment, Ansberry provides an X Windows application that connects to multiple X servers via a conference enabler. The conference enabler conceptually resides between the X application and the X servers and selectively distributes communications between the X Windows application and the X servers. (column 4, lines 1-9). Thus, the computing environment of Ansberry is simply the X Windows application, which is not a dynamic computing environment as recited in claim 1.

Ansberry, as noted in the Office action, discloses that the conference enabler performs "dynamic sharing of user interfaces which are coupled to applications." Applicants respectfully submit that dynamically sharing user interfaces does not show, teach or suggest allocating resources of a dynamic computing environment. Ansberry refers to the sharing of user interfaces as 'dynamic' because the conference enabler can transfer control of an application from one user interface to another user interface. The ability to transfer control of an application among user interfaces fails to provide for the dynamic selection and configuration of a processing network. Thus, Ansberry's disclosure of "dynamic sharing of user interfaces" fails to show, teach or suggest "allocating resources of a dynamic computing environment."

According to the Office action, Ansberry, in column 3, lines 29-47, teaches "executing applications for the requested resources between multiple servers and users via user interfaces." Applicants note that the cited portion of Ansberry does not discuss a request for resources or executing an application on a requested resource. In fact, Ansberry discusses resources in the

context of "X resources," which are variables that hold values for controlling the appearance of an X user interface. For example, an X resource can define the background colors of windows or the fonts used in dialog boxes. However, X resources are not the types of resources included in a dynamic computing environment (hardware, software and communication components). Thus, Ansberry could not disclose "executing an application on the at least one allocated resource," because the resources described in Ansberry are incapable of executing an application. Therefore, Ansberry fails to show, teach or suggest allocating resources of a dynamic computing environment, as claimed in claim 1.

Applicants therefore respectfully submit that claim 1 clearly distinguishes over Ansberry. Applicants submit that these arguments apply with equal force to independent claims 5 and 18. Applicants therefore respectfully submit that independent claims 1, 5 and 18, as well as claims 2-4, 5-17 and 19-24, which depend on claims 1, 5 and 18, are allowable for at least the foregoing reasons. Applicants therefore respectfully request withdrawal of the rejections based upon 35 U.S.C. §102(b). Accordingly, Applicants respectfully submit that claims 1-24 are in condition for allowance.

Rejection of Claims under 35 U.S.C. § 103

Claim 12 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Ansberry, et al, U.S. Patent No. 5,887,170 (Ansberry) in view of Novaes, et al., U.S. Patent No. 6,807,557 (Novaes). As an initial matter, Applicants note that claim 12 is dependent on claim 5 and is therefore allowable for at least the aforementioned reasons.

Applicants also submit that Novaes does not remedy Ansberry's failure to teach an operating system as a shared resource. (col. 1 lines 50-58 and col. 3 lines 39-55)." Novaes

discloses "operating system instances, which share resources and collaborate with each other to perform tasks." (column 1, lines 50-58). These operating system instances, according to Novaes, are configured such that they have access to a set of resources. "If the resources are to be shared, then the individual copies of the operating system collaborate and share the system resources they control." (column 3, lines 39-55). Novaes discloses sharing resources among operating system instances, but does not teach that the operating systems themselves are shared resources. Thus, Novaes fails to show, teach or suggest that a shared software process is an operating system, as claimed in claim 12.

Further, Applicants are unable to find any motivation to combine the disclosures of Novaes and Ansberry. The Office action states that "it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ansberry et al and Novaes et al for the purpose of ... providing a common operating system across the platforms of the shared devices." Applicants note that Ansberry shares an application and does not share devices; therefore, Ansberry would not be motivated to provide a common operating system across the platforms of the shared devices. Additionally, Ansberry would not be motivated to share an operating system across X servers because each X server is already running an operating system.

The Office action also states, "it [a combination of Ansberry and Novaes] would also extend the implementation to incorporate a distributed computer/cluster-like environment where operating system resources are shared among a plurality of nodes." As previously mentioned, neither Ansberry nor Novaes shows, teaches or suggests sharing an operating system among a plurality of nodes. Therefore, neither reference could be expected to provide the motivation to

combine their disclosures to provide for sharing an operating system between a first user interface and a second user interface, as set forth in claim 12.

Applicants therefore respectfully submit that the Office action fails to establish a prima facie case of obviousness. Thus, Applicants respectfully submit that claim 12 clearly distinguishes over Ansberry in view of Novaes and is allowable for at least the foregoing reasons. Applicants respectfully request withdrawal of the rejections based upon 35 U.S.C. §103. Accordingly, Applicants submit that claim 12 is in condition for allowance.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5084.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 22, 2005.

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